

State Water Resources Control Board

Division of Drinking Water

January 11, 2019

System No. 3510001

Mr. Michael Grzan, Engineering Technician
City of Hollister
375 Fifth Street
Hollister, CA 95023

CITATION NO. 02_05_19C_001

STAGE 2 DISINFECTION BYPRODUCTS MAXIMUM CONTAMINANT LEVEL VIOLATION DURING THIRD AND FOURTH QUARTERS 2018

Enclosed is Citation No. 02_05_19C_001 (hereinafter "Citation"), issued to the City of Hollister (hereinafter "City") public water system. Please note there are legally enforceable deadlines associated with this Citation.

The City will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately two hours on enforcement activities associated with this violation.

The City will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the City for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

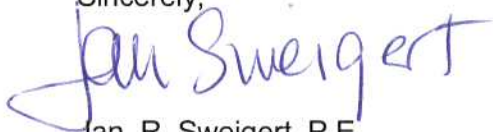
Information regarding filing petitions may be found at:

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this letter, please contact Shaminder Kler of my staff at (831) 655-6938 or me at (831) 655-6939.

Sincerely,



Jan. R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosures

Certified Mail No. 7008-1830-0004-5435-1247

cc: San Benito County Environmental Health Department

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: City of Hollister

Water System No: 3510001

Attention: Mr. Michael Grzan, Engineering Technician

275 Fifth St.

Hollister, CA 95023

Issued: January 11, 2019

CITATION FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64533(a)
STAGE 2 DISINFECTION BYPRODUCTS MAXIMUM CONTAMINANT LEVEL
VIOLATION
THIRD AND FOURTH QUARTERS 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing

1 with Section 116270), or any regulation, standard, permit, or order issued or adopted
2 thereunder.

3
4 The State Water Board, acting by and through its Division of Drinking Water (hereinafter
5 "Division"), and the Deputy Director for the Division, hereby issues Citation No.
6 02_05_18C_028 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the
7 City of Hollister (hereinafter "City"), for violation of CHSC, Section 116555(a)(1) and
8 California Code of Regulations (hereinafter "CCR"), Title 22, Section 64533(a).

9
10 Applicable statutes and regulations can be found on the State Water Board website at:

11 https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html

12 13 **STATEMENT OF FACTS**

14 The City is classified as a community public water system with a population of 22,777,
15 serving 6,836 connections.

16
17 CHSC, Section 116555(a)(1) requires all public water systems to comply with primary
18 drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water
19 standards include maximum levels of contaminants, specific treatment standards, and
20 monitoring and reporting requirements as specified in regulations adopted by the State
21 Water Board.

22
23 CCR, Title 22, Section 64533(a) Maximum Contaminant Levels for Disinfection
24 Byproducts states that public water systems shall comply with the primary MCLs
25 established in Table 64533-A. The MCL for Total Trihalomethanes (hereinafter "TTHM")
26 is 0.080 mg/L. CCR, Title 22, Section 64535.2(b)(1) states that compliance with the MCL
27 is based on the running annual arithmetic average of quarterly samples, computed
28 quarterly.

The State Water Board received laboratory results for four TTHM sample(s) collected between December 7, 2017 and December 6, 2018 from Airport Building 20. The running quarterly average TTHM concentrations from the past four quarterly samples were 0.0924 milligrams per liter (hereinafter "mg/L") and 0.0830 mg/L during the third and fourth quarters 2018, respectively. A summary of the City's most recent TTHM monitoring results from Airport Building 20 is presented in Table 1 below:

Table 1 – Airport Building 20 TTHM Sample Results

Calendar Quarter	Sample Date	Result (mg/L)	Four Quarters Locational Running Annual Average (mg/L)
4 th Quarter-2017	12/07/2017	0.0953	-
1 st Quarter-2018	03/08/2018	0.0422	-
2 nd Quarter-2018	06/07/2018	0.0844	-
3 rd Quarter-2018	09/06/2018	0.1476	0.0924
4 th Quarter-2018	12/06/2018	0.0578	0.0830

DETERMINATION

Based on the above Statement of Facts, the State Water Board has determined that the City has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555(a)(1) and the TTHM MCL pursuant to CCR, Title 22, Section 64533(a) during third and fourth quarters 2018.

DIRECTIVES

The City is hereby directed to take the following actions:

1. By **December 31, 2020**, comply with CCR, Title 22, Section 64533(a).
2. Conduct quarterly Stage 2 disinfection byproducts compliance monitoring in accordance with the monitoring plan approved by the State Water Board. The next disinfection byproducts samples must be collected in **March 2019**. The analytical result(s) of the sample(s) must be submitted electronically to the State Water

Board, by the laboratory, that conducts the analysis, no later than the tenth day of the month following completion of the analyses.

- 3.
- By **February 10, 2019**, and every three months thereafter until the City comply with CCR, Title 22, Section 64533(a), notify all persons served by the City of the violation of CCR, Title 22, Section 64533(a), in conformance with Sections 64463.4 and 64465. Appendix 1: Notification Template must be used to fulfill this Directive unless otherwise approved by the State Water Board. and contents of Appendix 2 must be approved by the State Water Board prior to issuance. **The City must edit the wording of the notification template as necessary.** The notification must be completed in accordance with the following:

- By mail or direct delivery of the Public Notification to each customer served by the water system and;
- By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;
 - By publication in a local newspaper, by delivery to community organizations or by posting in conspicuous public places served by the water system or on the internet. If the water system opts to issue the notice via internet website, the public notice must remain posted for a minimum of seven (7) consecutive days.

4. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive #3 to the State Water Board by **February 28, 2019**, and every three months thereafter until the City comply with CCR, Title 22, Section 64533(a).

- 1 5. Prepare for State Water Board approval, a Corrective Action Plan, identifying
2 improvements to the water system designed to correct the water quality problems
3 identified as an exceedance of the TTHM MCL and ensure that the City delivers
4 water to consumers that meets primary drinking water standards. The plan must
5 include a time schedule with specific dates for completion of each of the phases of
6 the project such as design, construction, and startup, and a date as of which the
7 City will be in compliance with the TTHM MCL, which must be no later than
8 **December 31, 2020.**
- 9
- 10 6. By **April 10, 2019**, submit the Corrective Action Plan required under Directive No.
11 5, to the State Water Board's office located at 1 Lower Ragsdale, Bldg. 1, Suite
12 120, Monterey, CA 93940.
- 13
- 14 7. Perform the State Water Board approved Corrective Action Plan, and each and
15 every element of said plan, according to the time schedule set forth therein.
- 16
- 17 8. By **July 10, 2019** and every three months thereafter, submit a report to the State
18 Water Board in the form provided as Appendix 3 showing actions taken during the
19 previous quarter (calendar three months) to comply with the Corrective Action
20 Plan.
- 21
- 22 9. Not later than ten (10) days following **December 31, 2020**, demonstrate to the
23 State Water Board that the water delivered by the City complies with the TTHM
24 MCL.
- 25
- 26 10. Notify the State Water Board in writing no later than five (5) days prior to the
27 deadline for performance of any Directive set forth herein if the City anticipates it
28 will not timely meet such performance deadline.
- 29

11. Include this violation in the 2018 Consumer Confidence Report in accordance with CCR, Title 22, Section 64481(g)(1).

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office

Dwpdist05@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation that it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the City of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

This Citation shall apply to and be binding upon the City, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the City shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Jan Sweigert
Jan R. Sweigert, P.E.

District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

January 11, 2019
Date

**Appendices:**

1. Notification Template
2. Compliance Certification Form
3. Quarterly Progress Report

Certified Mail No. 7008-1830-0004-5435-1247

APPENDIX 1. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este aviso contiene información muy importante sobre su agua potable, por favor lea el aviso en español si va aquí incluido. Si el aviso en español no va incluido aquí, contacte al sistema de agua para pedir una copia.

City of Hollister Water System has levels of Total Trihalomethanes above Drinking Water Standards

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results from December 2017 through December 2018 show that our system exceeds the standard, or maximum contaminant level (MCL) for Total Trihalomethanes (TTHM). The standard for TTHM is 80 micrograms per liter (µg/L). It is determined by averaging all samples collected by our system over the last 12 months. The level of TTHMs averaged at our system over the last four calendar quarters was 83 µg/L. This is above the drinking water standard or maximum contaminant level (MCL) of 80 µg/L.

What should I do?

- You **do not** need to use an alternative (e.g., bottled) water supply.
- This is not an immediate risk. If it had been, you would have been notified immediately. However, *some people who drink water containing trihalomethanes in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action] _____

We anticipate resolving the problem within _____.

For more information, please contact [Insert contact name] at [Insert contact phone number] or at the following mailing address: [Insert mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by the City of Hollister water system.

State Water System ID#: 3510001 Date distributed: _____.

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 02_05_19C_001

Name of Water System: City of Hollister

System Number: 3510001

Certification

I certify that the users of the water supplied by this water system were notified of the TTHM maximum contaminant level violation of California Code of Regulations, Title 22, Section 64431 for the compliance period of 2018 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used: _____	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN FEBRUARY 28, 2019 AND EVERY 3 MONTHS THEREAFTER

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

APPENDIX 3: QUARTERLY PROGRESS REPORT

Water System: City of Hollister	Water System No: 3510001
Citation No: 02_05_18C-001	Violation: TTHM MCL
Calendar Quarter:	Date:

This form should be prepared and signed by the City of Hollister personnel with appropriate authority to implement the directives of the Citation and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Monterey District Office to the following email address: Dwpdist05@waterboards.ca.gov titled appropriately.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

--

Tasks remaining to complete:

Anticipated compliance date:

Printed Name

Signature

Title

Date _____